

Workforce Investment Act

Eligibility Guidelines

Texas Workforce Commission
WORKFORCE DEVELOPMENT DIVISION

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I. INTRODUCTION

The Workforce Investment Act (WIA) offers an integrated and comprehensive range of services consisting of workforce development activities benefiting job seekers—adults, dislocated workers, youth, incumbent workers, new entrants to the workforce, veterans, individuals with disabilities—and employers. WIA’s objective is to meet employers’ needs by increasing employment, job retention, earnings, and occupational skills among all job seeker populations.

The purpose of the *WIA Eligibility Guidelines* is to provide Local Workforce Development Boards (Boards) with criteria and documentation sources for establishing Title I WIA program eligibility for adults, dislocated workers, and youth.

The *WIA Eligibility Guidelines* contains policies and procedures for determining and completing relevant documentation for WIA eligibility for job seekers. Supplementary WIA eligibility information is provided through desk references.

The *WIA Eligibility Guidelines* and the following desk references are available online at www.twc.state.tx.us/boards/wia/txwia.html:

- Glossary
- Documentation Log
- Income Guidelines
- Selective Service Registration
- Rapid Reemployment Services

ELIGIBILITY, DOCUMENTATION, AND VERIFICATION

WIA and 20 C.F.R. Part 652 establish basic and specific program eligibility criteria.

- Basic program eligibility requirements—i.e., U.S. citizenship (or authorization to work in the U.S.), age, and Military Selective Service registration; and
- Specific services eligibility, additional eligibility requirements—i.e., meeting income level, dislocated worker, or youth barrier criteria.

Boards are required to document the eligibility of adult, dislocated worker, and youth populations served with WIA funds. These guidelines explain each WIA job seeker population, and provide information and procedures for documenting and verifying eligibility within them.

BASIC ELIGIBILITY REQUIREMENTS

Job seekers first must meet basic WIA eligibility requirements for WIA-funded services. To be eligible to participate in WIA Title I services, adults, dislocated workers*, and youth must:

- be 18 years of age or older (adults);
- be between 14 and 21 years of age (youth);
- be a citizen or noncitizen authorized to work in the U.S.; and
- meet Military Selective Service registration requirements (males only).

*There is no specific age criterion for dislocated workers.

Once basic eligibility requirements are met, an additional set of requirements must be met within each job seeker population to provide services with formula funds. Each job seeker population receives different employment services and WIA regulations clearly define specific parameters for the three job seeker populations with corresponding eligibility criteria for each. These additional eligibility requirements are addressed in separate sections of the guidelines.

SERVICES AVAILABLE TO ADULTS AND DISLOCATED WORKERS

WIA establishes three levels of employment and training services for adults and dislocated workers: core, intensive, and training.

WIA eligibility determination is required when a job seeker needs staff-assisted services to obtain or retain employment. As a job seeker moves through the service levels, additional requirements must be met to show that the job seeker is appropriate for the next level of service, and requires that level of service to obtain or retain employment.

All job seekers are eligible to receive core services. Intensive services are available to unemployed job seekers who have been unable to obtain jobs through core services and to those who are employed but need additional intensive services to reach self-sufficiency. Training services are available for those job seekers who have been unable to find employment through intensive services.

1. Core Services:

- *Self-service* or *informational* core services are designed to inform and educate individuals about the labor market, their employment strengths, weaknesses, and the range of services appropriate to their situation. These services are informational in nature and do not require eligibility determination.

Examples of self-service or informational core services include:

- accessing information and tools at Texas Workforce Centers or from a remote electronic location;
- instructions on how to use Texas Workforce Center resources;
- posting a resume or application; and
- applying for a job.

- *Staff-assisted* core services that go beyond self-service are individualized and provided on a one-to-one basis or in small groups with the assistance of a Texas Workforce Center staff member. These services normally are provided after job seekers have utilized self-services, and are tailored to their needs. Basic eligibility determination is required before a job seeker may receive staff-assisted core services.

Examples of staff-assisted core services include:

- Staff-assisted job search, job referral, and career counseling;
- Staff-assisted assessment, job placement assistance, and other services such as testing and background checks;
- Staff-assisted job development (working with employers and job seekers); and
- Staff-assisted workshops and job clubs.

Core services also may include financial literacy training, provided in accordance with Texas Labor Code §302.0027 and U.S. Department of Labor's Training and Employment Guidance Letter 2-01.

2. **Intensive Services** are staff-assisted job search and occupational development services. Intensive services are provided through direct interaction with Texas Workforce Center staff. The intensive

services level—in which job seekers must receive some core services before they can receive intensive services, and some intensive services before training services—is geared to provide more in-depth job search and career management assistance to eligible adults and dislocated workers. Eligibility determination for specific services is required before a job seeker may receive intensive services.

Examples of intensive services include:

- comprehensive and specialized assessment, such as diagnostic testing and interviewing;
- full development of Individual Employment Plans, including evaluation of employment barriers;
- group counseling;
- individual counseling and career planning;
- case management;
- short-term prevocational services;
- internships; and
- work experience.

3. **Training Services** pay job training costs associated with WIA-approved training programs.

Training services are provided through a cooperative planning process between eligible participants and Texas Workforce Center staff. Eligible adults and dislocated workers needing training services will have access to training provider information for making an informed training choice. WIA funds must be coordinated with other resources, such as Trade Adjustment Assistance (TAA) and federal Pell Grants. Eligibility determination for specific services is required before a job seeker may receive training services.

Examples of training services include:

- occupational skills training;
- on-the-job training (OJT);
- workplace training and cooperative education programs;
- private sector training programs;
- skill upgrading and retraining;
- entrepreneurial training;
- adult education and literacy activities in combination with training; and
- customized training.

PRIORITY OF SERVICE – PUBLIC ASSISTANCE RECIPIENTS AND OTHER LOW-INCOME INDIVIDUALS

Each Board sets its own WIA service priority policy, within state and federal guidelines. Depending on available funding (from multiple funding streams), Boards must state in their plans to the Texas Workforce Commission that they have either:

- sufficient (i.e., unrestricted) funds to serve all potentially eligible WIA job seekers; or
- insufficient (i.e., restricted) funds to serve all potentially eligible WIA job seekers.

If funds are sufficient, a Board may offer intensive and training services to adults (regardless of income) and to dislocated workers.

Note: WIA does not impose an income-level standard or criterion on dislocated workers.

If funds are insufficient, public assistance recipients and other low-income job seekers must be the first priority. However, depending on their priority lists, Boards may serve adults who are not low income even when funds are insufficient. Based on local policy, Boards may choose to provide intensive and

training services to adults whose income is above the WIA income guidelines requirement, but below the Board-established self-sufficiency wage level.

SERVICES AVAILABLE TO YOUTH

The WIA youth program provides education, training, and employment opportunities for low-income youth. Services are tailored to meet the specific needs of the job seeker and may include:

- tutoring, study skills training, and instruction leading to completion of secondary school, including dropout prevention strategies;
- assessment to determine basic skill and functioning educational level;
- alternative school services;
- summer employment opportunities linked to academic and occupational learning;
- paid and unpaid work experience to include job shadowing and internships;
- occupational skills training such as vocational classes or OJT training;
- leadership development opportunities;
- support services such as transportation and child care;
- adult mentoring;
- follow-up services to help individuals who have completed the program; and
- guidance and counseling.

WIA-funded activities for youth encourage the establishment of educational and career goals, and facilitate progress toward those goals.

II. WIA ADULT ELIGIBILITY REQUIREMENTS

Adults must meet basic eligibility requirements and any service priority criteria in effect for the Local Workforce Development Board (Board). Adults meeting basic eligibility requirements and Board priority of service criteria must then meet the additional requirements specific to WIA adult services.

Adults also must meet a low-income requirement *unless* the Board has declared unrestricted funds or established additional priority groups. A job seeker who meets any *one* of the following criteria satisfies the low-income requirement for WIA adult services:

- Receives or is a member of a family that receives cash payments under a federal, state, or local workforce development area (workforce area) income-based public assistance program;
- Receives food stamp benefits or is a member of a family that receives food stamp benefits, or was determined eligible to receive food stamp benefits within the last 26 weeks;
- Receives an income or is a member of a family receiving an income that, in relation to family size, is not in excess of the current combined 70 percent Lower Living Standard Income Level and poverty income guidelines contained in the *Income Guidelines Desk Reference* (the *Glossary Desk Reference* defines *family* and items excluded when calculating income);
- Is a homeless individual as defined in the Stewart B. McKinney Homeless Assistance Act, §103(A) and (C);
- Is a foster youth* for whom a court order exists and on behalf of whom the state or local government makes payments; or
- Is an individual with a disability whose own income meets the requirements, even if the individual's family income does not meet the requirements.

*An individual who is under 22 years of age for whom the state or local government has been appointed managing conservator prior to his or her 18th birthday as defined in Texas Family Code §264.101(a-1) and §264.101(d).

Note: WIA provides specific eligibility consideration for job seekers with disabilities. If a job seeker with a disability proves to be ineligible because of family income, his or her income may be separated from the family's income. For the purposes of income eligibility determination, the job seeker with a disability may be considered an unrelated individual who is a *family unit of one*, consistent with the definition of low-income individual at WIA §101(25).

As specified in WIA §101(17), documentation collected to verify eligibility for the individual with a disability category under economic eligibility and hard-to-serve criteria must be kept confidential and should not be used in making any decisions regarding referral to, or placement in, training or employment.

WIA §101(17) requires that Boards avoid public disclosure of specific customer information that would constitute a clearly unwarranted invasion of personal privacy.

- If a disabled job seeker proves to be ineligible due to family income criteria, that individual must, for purposes of income eligibility determination, be considered an unrelated individual who is a family unit of one consistent with the definition of *low-income individual* at WIA §101(25).
- Whenever disability information is requested or collected, Boards must clearly inform the job seeker that:
 - providing the information is voluntary;
 - the information will be kept confidential as provided by law;
 - refusal to provide the information will not subject the job seeker to any adverse treatment; and
 - the information will be used only in accordance with the law.

If a job seeker with a disability is under the limit specified in the *Income Guidelines Desk Reference*, the job seeker may still need to meet any additional WIA adult low-income eligibility requirement established by the Board.

To ensure compliance with federal requirements, Texas Workforce Center staff must ask *each* job seeker (not just those who appear to have a disability) whether he or she chooses to apply as an individual with a disability.

All job seekers must be:

- asked if they want to apply as a disabled individual; and
- made this offer even if evidence of disability is not apparent.

For example, Texas Workforce Center staff may state:

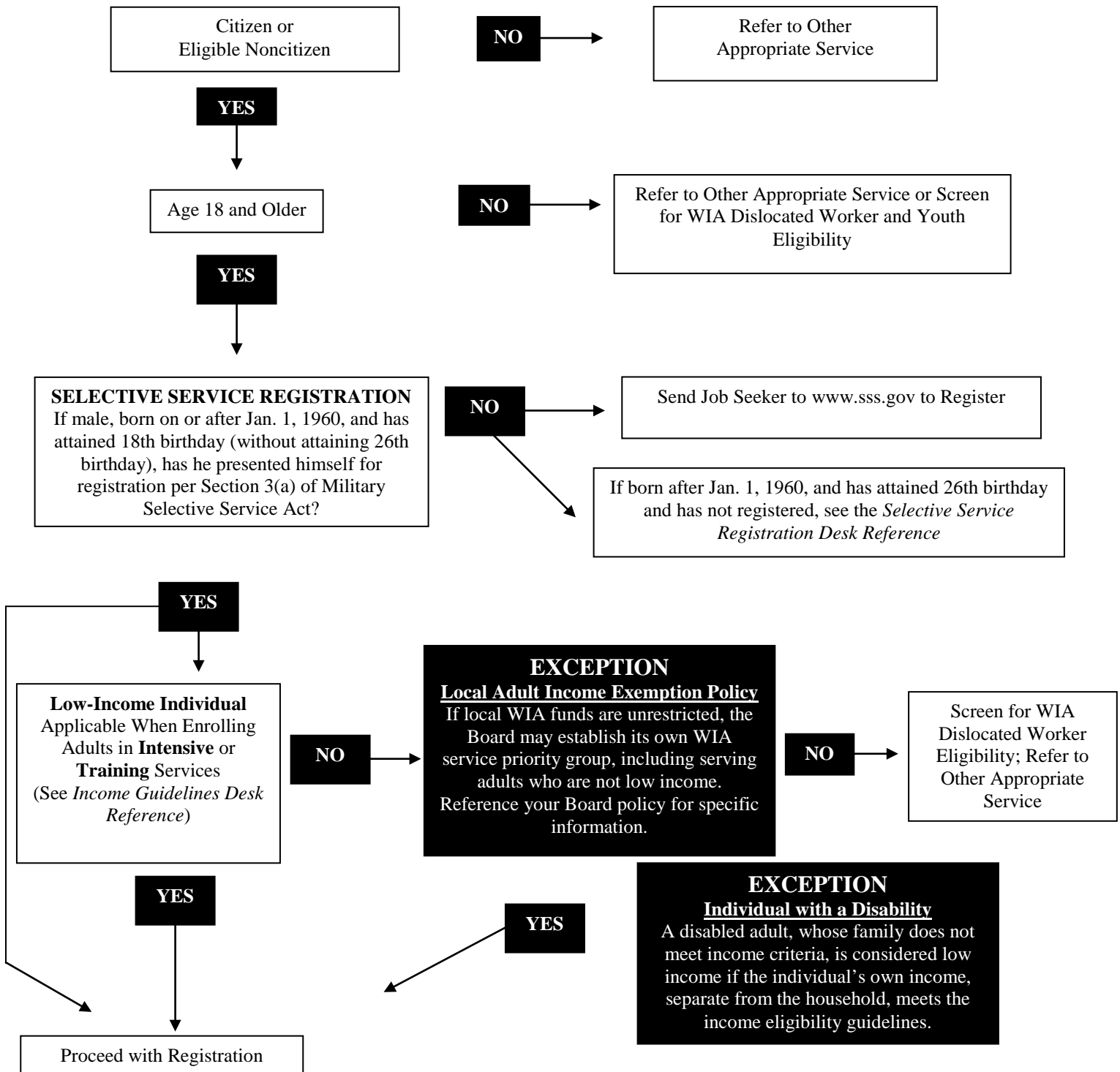
“Special consideration may be given to job seekers with disabilities. If you believe that you are eligible and wish to apply as an individual with a disability, please answer the following question: Do you have a physical (motion, vision, hearing, etc.) or mental (including learning or developmental) impairment that substantially limits one or more of your major life activities, have a record of such an impairment, or are you regarded as having such an impairment?”

If a job seeker wishes to declare a disability, it is only necessary to document that the individual has a disability. Detailed information about the disability is not necessary.

Note: When job seekers do not meet eligibility requirements for any WIA-funded services, refer them to alternate sources of funding.

WIA ADULT ELIGIBILITY FLOWCHART

JOB SEEKER



III. WIA DISLOCATED WORKER ELIGIBILITY REQUIREMENTS

WIA dislocated worker services are designed to meet employer needs by helping job seekers upgrade skills, obtain employment, improve job retention, and increase earnings.

The WIA dislocated worker program offers employment and training services for eligible workers who are unemployed through no fault of their own or have received an official layoff notice.

The WIA dislocated worker program also provides the following specialized reemployment services:

- *Rapid Response*
Rapid Response services provide short-term early intervention and immediate assistance with layoffs and plant closures. The services are designed to transition workers to their next employment as soon as possible.
- *Rapid Reemployment Services*
Rapid Reemployment Services (RRES) are geared toward unemployment insurance (UI) claimants identified as likely to exhaust benefits. Claimants are required to participate in reemployment services as a condition of UI eligibility.

Claimants who have been prioritized and referred to Boards are considered to have met the eligibility criteria for dislocated worker services under Category 1, as outlined in the *Rapid Reemployment Services Desk Reference*.

- *Trade Adjustment Assistance*
The TAA program provides additional benefits for dislocated workers from companies that are directly affected by increased imports or certain shifts of production to other countries.

Trade-affected workers receive notification that their Trade petition has been approved. The notification instructs them to contact a Texas Workforce Center for services. Making contact with the Texas Workforce Center and providing a copy of the petition approval letter meets the Category 1 eligibility criteria for WIA dislocated workers (TWC Verification).

Expedited WIA Dislocated Worker Eligibility Requirements for RRES Participants

Expedited eligibility determination is available for those individuals identified through RRES. Eligibility under Category 1 of the dislocated worker program may be established for an RRES participant by one the following:

- A screen print of the AD17 – RRES outreach list showing the participant’s name;
- A copy of the RRES outreach letter sent to the participant; or
- Verification through WorkInTexas.com. The RRES indicator—a dollar sign with a red background—appears in the WorkInTexas.com automated file for each RRES participant.

Expedited WIA Dislocated Worker Eligibility Requirements for UI Claimants

As part of UI claim processing, the UI Division transmits information—name, date of birth, and Social Security number (SSN)—to the Social Security Administration on a nightly basis to confirm a UI claimant’s right to work in the United States. Boards may use the following to determine a UI recipient’s authorization to work in the United States:

- UI Screen – *Current Claimant Status (CTCS)*; or
- UI Award Letter.

WIA Dislocated Worker Eligibility Requirements

To qualify for services as a dislocated worker, job seekers must satisfy the basic WIA eligibility requirements and fit in one of the following five dislocated worker categories:

Category 1

The job seeker must meet all of the following criteria:

- Terminated, laid off, or have received a notice of termination or layoff;
- Unlikely to return to the previous occupation or industry; and
- Either eligible for or have exhausted entitlement to UI compensation; *or* ineligible for UI compensation, but able to show an attachment to the workforce.

Unlikely to Return—Individuals laid off on a temporary basis, with a specific recall date, are not eligible under Category 1, based on the *unlikely to return* eligibility criterion.

Temporary or Seasonal Workers—Individuals laid off or terminated because of the cyclical intermittent or seasonal nature of their employment may be provided training and employment services under dislocated worker services. However, such training should be available only to those individuals interested in developing skills in nonseasonal occupations rather than in continuing as temporary or seasonal workers.

Workers employed on a temporary or seasonal basis, including those employed by a temporary agency, and workers who can provide the beginning and ending dates of their terms of employment, may be eligible for dislocated worker services when they complete their temporary assignments if they meet the definition of Dislocated Worker at WIA §101(9).

For example, a worker employed by a temporary agency who loses work because of a layoff by the worksite employer may be eligible for dislocated worker services. The worksite employer or the employer of record must provide a notice of layoff.

Trade Adjustment Assistance—TAA provides services to workers whose jobs have been adversely affected by imports or increased job exports. Workers who believe their jobs have been trade-affected must file a Trade petition to determine whether they are eligible for TAA services. TAA and WIA dislocated worker services are provided to workers whose Trade petitions have been approved.

For additional information about TAA, see the *Guide to the Integration of Trade Services for Dislocated Workers: A Resource Tool*, at www.twc.state.tx.us/boards/guides/guides.html.

Rapid Reemployment Services—RRES serves UI claimants identified as likely to exhaust benefits before they reenter the workforce. These UI claimants participate in RRES as a condition of UI eligibility. The *Rapid Reemployment Services Desk Reference* includes additional information.

If job seekers are determined eligible for RRES and TAA benefits, then they automatically meet Category 1 eligibility requirements.

Unemployment Insurance—For WIA dislocated worker purposes, anyone dislocated from UI-covered employment, even if employed for only a single day, may be considered eligible for UI.

Category 2

The job seeker must have been terminated, laid off, or received a notice of termination or layoff from employment as a result of:

- any permanent closure of a plant, facility, or enterprise; *or*
- a substantial layoff at a plant, facility, or enterprise.

Category 3

The job seeker must have been self-employed (including employment as a farmer, rancher, or fisherman), and currently be unemployed as a result of:

- general economic conditions in the community in which the job seeker lives; *or*
- a natural disaster.

Economic conditions that result in the dislocation of a self-employed individual may include but are not limited to:

- failure of one or more businesses for which the self-employed individual supplied a substantial portion of products or services;
- failure of one or more businesses from which the self-employed individual obtained a substantial portion of products or services;
- substantial layoffs from, or permanent closure of one or more plants or facilities that support a significant portion of the state or workforce area economy;
- depressed prices or markets for the article(s) or service(s) produced or provided by the self-employed individual; or
- generally high levels (above 4.5 percent) of unemployment in the workforce area.

Natural disasters include, but are not limited to, any hurricane, tornado, storm, flood, high water, wind-driven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide, snowstorm, drought, fire, explosion, or other catastrophe.

Individuals working as independent contractors or consultants, but not technically employees of a firm, are subject to the provisions of Category 3.

Category 4

The job seeker must be employed at a facility where the employer made a public announcement that the facility will close within 180 days. The announcement must be made with both a:

- declaration of closure, which states a planned date of closure, to the media; *and*
- documented verification to the State.

For acceptable documentation of media announcement and verification to the State, see Part V of these guidelines—Eligibility Documentation Forms—for the Telephone Verification of Public Announcement form and the Verification of Termination or Layoff Dislocated Worker form.

Category 5

The job seeker must be classified as a displaced homemaker (male or female) who:

- provided unpaid services to family members in the home;
- has been dependent on the income of another family member but is no longer supported by that income; and
- is unemployed or underemployed and experiencing difficulty finding or upgrading employment.

A displaced homemaker may lose supportive income due to divorce or the death of a spouse. However, the loss of supportive income may also be the result of a former wage earner's job loss and that former wage earner may still be living in the home.

Note: When job seekers do not meet eligibility requirements for any WIA-funded services, refer them to alternate sources of funding.

Serving Military Service Members and Spouses

Current WIA law and regulations provide limited guidance on serving the following populations, both of which may meet WIA dislocated worker eligibility criteria:

- Military service members who are nonretirees and who are being discharged under honorable conditions; and
- Military spouses.

An individual must first meet WIA eligibility criteria to qualify as a dislocated worker. Then, if the individual is either a military service member who is not retiring, but is being honorably discharged due to special circumstances, or a qualifying military spouse, the individual must be given priority over nonveteran dislocated workers.

- **Separating military personnel must:**
 - be discharged under conditions other than dishonorable, whether voluntarily or involuntarily;
 - be nonretirees; and

- satisfy other WIA criteria for dislocated worker eligibility, including the requirement that the individual is unlikely to return to his or her previous industry or occupation.
- **A military spouse must:**
 - leave a job to follow his or her spouse who is a military service member; or
 - be unable to continue employment because of his or her spouse's change of military station, or lose employment as a result of his or her spouse's discharge from the military; and
 - satisfy other WIA criteria for dislocated worker eligibility, including the requirement that the spouse is unlikely to return* to his or her previous industry or occupation.

*Spouses Unlikely to Return to a Previous Industry or Occupation – In the majority of cases, the circumstances in which spouses of active military service members are required to leave a job or occupation because of the military member's transfer do not position the spouse to return immediately to his or her previous occupation or industry—particularly at the same pay level—for the following reasons:

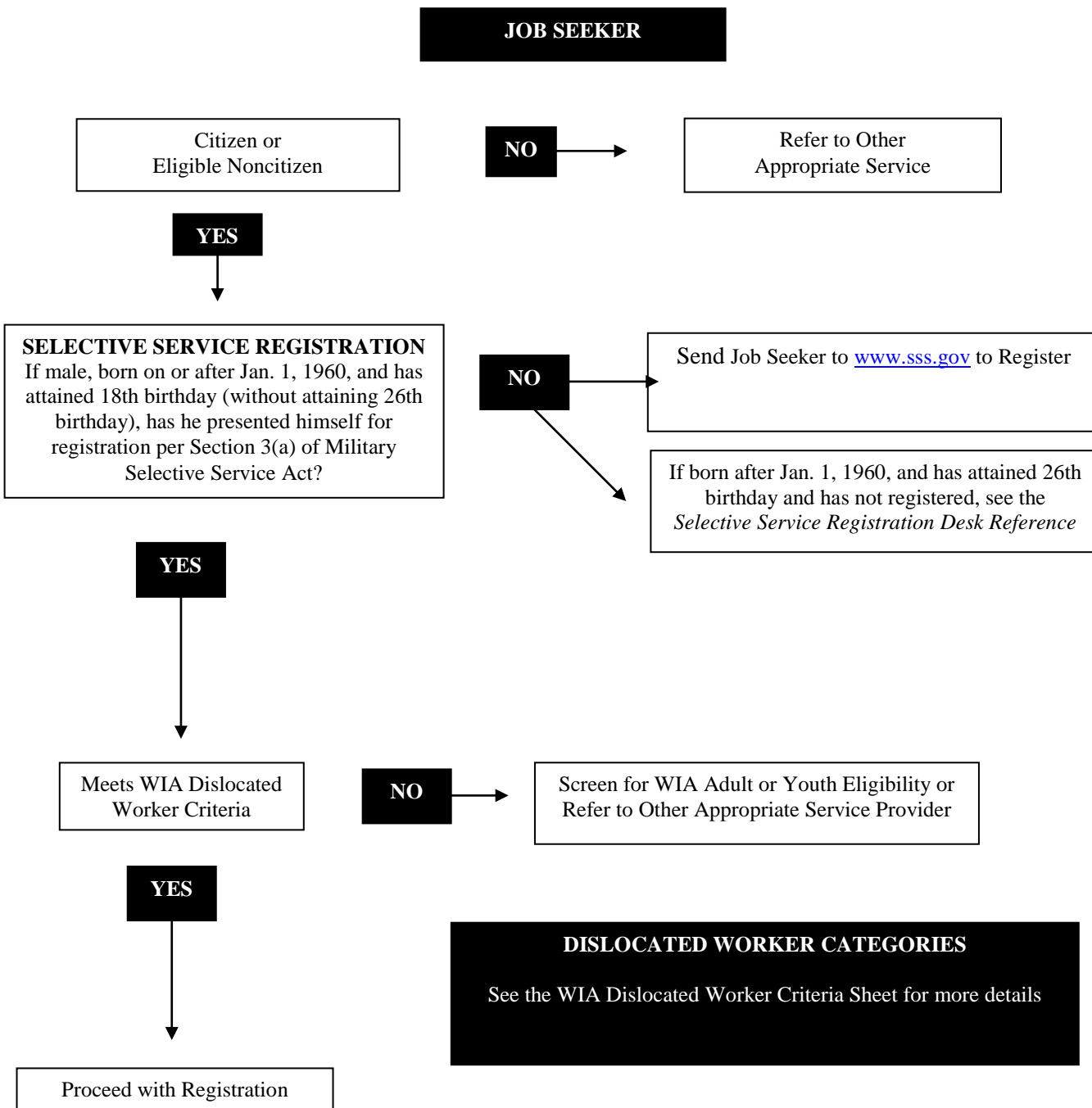
- Spouses are generally not resuming employment with the same employer;
- Even if a spouse resumes employment with the same employer, the employment is in a new location, and occupations will generally not be structurally or organizationally the same as in the prior location;
- When military spouses do obtain jobs in their new locations, as new employees they will often start at lower levels of seniority than that attained in prior locations; and
- There is frequently a gap in employment as spouses make the move and search for new employment, which can lessen their likelihood of returning to the same level of occupation or type of job.

When determining eligibility in these cases, it is recommended that Boards consider a variety of factors, including:

- the spouse's skills, which may be inadequate to meet the needs of the current workforce and economy;
- any decline—in the region of relocation—of the industry in which the spouse has prior work experience; and
- an excess of workers with similar experience and skill sets seeking limited employment opportunities within the region.

Boards must be aware that separating military personnel and military spouses who do not meet dislocated worker eligibility requirements may instead be eligible for WIA adult services.

WIA DISLOCATED WORKER ELIGIBILITY FLOWCHART



Note: WIA does not impose an age or income level standard or criterion on dislocated workers.

WIA DISLOCATED WORKER CRITERIA SHEET

Category 1

1. Terminated, laid off, or received a notice of layoff from employment, *AND* unlikely to return to previous industry or occupation; *AND* either
 - A. Eligible for or has exhausted entitlement to unemployment compensation;
 - OR*
 - B. Not eligible for unemployment compensation, but can show attachment to the workforce.

Category 2

Terminated, laid off, or received a notice of layoff from employment at a plant, facility, or enterprise as a result of:

1. permanent closure;
- OR*
2. substantial layoff.

Category 3

Was self-employed, but is unemployed as a result of:

1. general economic conditions in the workforce area where the individual resides;
- OR*
2. a natural disaster.

Category 4

Public announcement by employer that facility will close within 180 days:

1. Declaration of closure through the media that states planned closure date;
- AND*
2. Documented verification made to the State.

Category 5

Displaced Homemaker:

1. Has been dependent on the income of another family member and is no longer supported by the income of another family member;
- AND*
2. Is unemployed or underemployed and experiencing difficulty in obtaining or upgrading employment.

Note: Screen for WIA adult and youth eligibility when job seekers do not meet dislocated worker criteria. When job seekers do not meet eligibility for any WIA-funded services, refer them to alternate sources of funding.

IV. WIA YOUTH ELIGIBILITY REQUIREMENTS

Youth are required to meet the basic WIA eligibility requirements. Once the basic WIA eligibility requirements are met, additional requirements for WIA youth must be met. The job seeker must be:

- between ages 14 through 21;
- a low-income individual (as defined in the *Glossary Desk Reference*); and
- within one or more of the following categories:
 - Deficient in Basic Literacy Skills
 - School Dropout (youth who are homeschooled are not dropouts)
 - Homeless, Runaway, or Foster Youth
 - Pregnant or Parenting
 - Offender
 - Additional assistance needed to complete an educational program, or to secure and hold employment

Note: Male youth who turn 18 while enrolled in WIA must complete their military selective service registration 30 days prior to or 30 days after their 18th birthday to continue receiving WIA services.

In order to serve youth who do not meet the low-income requirement, up to 5 percent of youth enrolled each year may be enrolled based on one of the categories in the Special Rule–5 Percent Eligibility Exemption for WIA youth. At Boards' discretion, youth who do not meet any of the low-income requirements may receive services under an eligibility exemption in one of the following categories:

1. School Dropout
2. Basic Skills Deficient
 - Note:* This exemption category is not interchangeable with the Deficient in Basic Literacy Skills youth barrier as they cover different skills.
3. Behind Grade Level
 - Note:* When determining this category, it is necessary to determine the grade level at which the participant should be functioning.
4. Pregnant or Parenting
5. Disabled (includes learning disabilities)
6. Homeless or Runaway
7. Offender
8. Faces serious barriers to employment as identified by Board policy

Note: When job seekers do not meet eligibility requirements for any WIA-funded services, refer them to alternate sources of funding.

WIA YOUTH ELIGIBILITY FLOWCHART

JOB SEEKER

Citizen or
Eligible Noncitizen

NO

Refer to Other
Appropriate Service

YES

Ages 14 to 21

NO

- Screen for WIA adult eligibility (age 18 and older) and/or possible co-enrollment
- Screen for WIA dislocated worker eligibility
- Age 13 and under, refer to other appropriate service provider

YES

SELECTIVE SERVICE REGISTRATION

If male and has attained 18th birthday
(without attaining 26th birthday), has he
registered for Military Selective Service?

NO

Send Job Seeker to www.sss.gov to Register

YES

Low-income
Individual
(Note: See *Income
Guidelines Desk
Reference*)

NO

SPECIAL RULE 5% Eligibility Exemption

- School Dropout
- Basic Skills Deficient
- One or More Grade Levels below the Grade Level Appropriate to the Individual's Age
- Pregnant or Parenting
- Disabled, Including Learning Disabilities
- Homeless or Runaway
- Offender
- Board-Defined Barrier

EXCEPTION Disabled Individual

A disabled youth, whose family does not meet income criteria, is considered low income if the individual's own income, separate from the household's, meets the income eligibility guidelines.

NO

Screen for WIA
Dislocated Worker
Eligibility; Refer to
Other Appropriate
Service Provider

YES

Meets Youth
Barrier

YES

NO

Screen for WIA Adult (for individuals 18 years of age and older) or Dislocated Worker Eligibility or Refer to Other Appropriate Service Provider

YES

Proceed with Registration

YOUTH BARRIERS

- Deficient in Basic Literacy Skills
- School Dropout
- Homeless, Runaway, or Foster Youth
- Pregnant or Parenting
- An Offender
- An Individual (Including a Youth with a Disability) Who Requires Additional Assistance to Complete an Educational Program or to Secure and Hold Employment

V. ELIGIBILITY DOCUMENTATION FORMS

The Texas Workforce Commission has developed standardized forms to assist Boards in collecting the information necessary to verify the multiple WIA eligibility criteria. Source documents required by WIA regulations are provided in Part V of these guidelines. A Board may modify these forms to meet its specific needs; however, all required data elements must remain the same.

The following instructions and WIA forms are included in this section:

- Instructions for Completing Telephone Verification/Document Inspection Form
- Telephone Verification/Document Inspection Form
- Instructions for Completing Self-Certification Form
- Self-Certification Form
- Telephone Verification of Public Announcement Form
- Verification of Termination or Layoff Dislocated Worker Form
- Employment/Income Verification Form
- Out-of-State Unemployment Insurance Verification Form
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INSTRUCTIONS FOR COMPLETING TELEPHONE VERIFICATION/DOCUMENT INSPECTION FORM

If no other forms of documentation are available, WIA eligibility criteria may be verified by telephone contacts with governmental or social service agencies, or by document inspection. The information obtained must be documented by recording it on a standardized form such as the example contained in Part V of these guidelines. Information recorded must be adequate to enable a monitor or auditor to trace the information back to the agency providing the information or the document used. Telephone verification must include the name of the agency representative providing the verification information.

In some cases, the information provided by an agency through telephone contact may be sufficient to satisfy the multiple WIA eligibility criteria.

Agencies that may assist in verifying information by telephone are:

- Local schools
- U.S. Department of Veterans Affairs
- Vocational rehabilitation facilities
- Housing authorities
- Judicial agencies and institutions
- Social Security Administration
- Medical and health facilities
- Drug and alcohol rehabilitation facilities
- Homeless shelters
- Other state or local government agencies

Documentation of eligibility verification through document inspection is appropriate when documents cannot or may not be photocopied. In such cases, or when documents are not readily obtainable, a telephone verification/document inspection form may be used. The form serves dual purposes:

1. *Telephone Verification*—used to verify eligibility information through governmental, private, or social service agencies. Information recorded on the form must include all applicable information to enable a monitor or auditor to adequately verify eligibility, i.e., document name, contact name, telephone numbers, addresses, etc.; and
2. *Document Inspection*—used when documents cannot or may not be copied, or if program recruitment is being conducted in the field.

WORKFORCE INVESTMENT ACT **TELEPHONE VERIFICATION/DOCUMENT INSPECTION**

| IDENTIFYING INFORMATION | | | | | | | | | | | | | | |
|---|--|--|--|--|--|--|--|--|-------|--|--|--|--|--|
| Job Seeker's Name: _____ <div style="display: flex; justify-content: space-between; width: 80%; margin: 0 auto;"> First Last MI </div> | | | | | | | | | | | | | | |
| SSN: | | | | | | | | | Date: | | | | | |

| |
|--|
| WIA ELIGIBILITY VERIFICATION BY ■ TELEPHONE |
| NAME AND/OR NUMBER OF DOCUMENT |

| |
|--|
| ELIGIBILITY ITEM(S) TO BE VERIFIED: _____ |
| INFORMATION VERIFIED: _____ |
| AGENCY PROVIDING VERIFICATION: _____ |
| AGENT VERIFYING ELIGIBILITY ITEM: _____ |
| DATE AND TIME OF VERIFICATION: _____ |
| TELEPHONE NUMBER OF AGENCY PROVIDING VERIFICATION: _____ |

| |
|--|
| WIA ELIGIBILITY VERIFICATION BY ■ DOCUMENT INSPECTION |
| NAME AND/OR NUMBER OF DOCUMENT |

| |
|--|
| ELIGIBILITY ITEM(S) TO BE VERIFIED: _____ |
| INFORMATION VERIFIED: _____ |
| DOCUMENT TO BE INSPECTED: _____ |
| ORIGINAL SOURCE OF DOCUMENT: _____ |
| REASON FOR DOCUMENT INSPECTION: <input type="checkbox"/> REMOTE SITE ELIGIBILITY, NO COPIER AVAILABLE <input type="checkbox"/> ON-SITE ELIGIBILITY, NO COPIER AVAILABLE <input type="checkbox"/> DOCUMENT CANNOT BE COPIED |

| Certification | | |
|---|---------------------|---------------------------|
| I ATTEST THAT THE INFORMATION RECORDED BY ME ON THIS DOCUMENT WAS OBTAINED THROUGH TELEPHONE CONTACT ON THE ABOVE DATE. AS INDICATED BY THE AGENT, ALL INFORMATION WAS OBTAINED FROM DATA PREVIOUSLY DETERMINED AND RECORDED IN THE JOB SEEKER'S RECORDS AT THE AGENCY PROVIDING THE ELIGIBILITY VERIFICATION. <div style="text-align: center; padding: 5px 0;">OR</div> I ATTEST THAT THE DOCUMENT INSPECTION PERFORMED BY ME VERIFIED THE PRIMARY/SECONDARY ITEMS REQUIRED TO DETERMINE THE JOB SEEKER'S ELIGIBILITY FOR WIA SERVICES. | | |
| _____ Texas Workforce Center Staff Signature | _____ Print Name | _____/_____/_____ Date |
| _____ Manager/Reviewer Signature | _____ Print Name | _____/_____/_____ Date |

04.07

INSTRUCTIONS FOR COMPLETING SELF-CERTIFICATION FORM

Much of the documentation necessary to meet the multiple WIA eligibility requirements is readily available through various agencies and other sources. In some cases, definitive documentation is required, e.g., eligibility to work and Selective Service registration for males.

U.S. Department of Labor Training and Employment Notice 9-06 allows for self-certification to document those items that in some cases are not verifiable or may cause undue hardship for individuals to obtain. Self-certification may be used only after all practical attempts to secure documentation have failed. Self-certification is allowable only in instances listed in the *Documentation Log Desk Reference*.

To use self-certification as documentation, the self-certification form must be completed as follows:

If a job seeker states that he or she cannot provide evidence that no income was received during the past six months, and that he or she was unemployed for that period, complete the blank spaces following the words "I certify, under penalty of perjury, that the following information is true."

Example:

"I have received no income from any source during the past six months, I have been unemployed during that time, and have been supported by donations/contributions from relatives and friends."

**WORKFORCE INVESTMENT ACT
SELF-CERTIFICATION**

I HEREBY CERTIFY UNDER PENALTY OF PERJURY, THAT THE FOLLOWING
INFORMATION IS TRUE:

I ATTEST THAT THE INFORMATION STATED ABOVE IS TRUE AND ACCURATE, AND UNDERSTAND
THAT THE ABOVE INFORMATION, IF MISREPRESENTED OR INCOMPLETE, MAY BE GROUNDS FOR
IMMEDIATE TERMINATION OF WIA-FUNDED SERVICES AND/OR PENALTIES AS SPECIFIED BY
LAW.

JOB SEEKER'S SIGNATURE and DATE

SIGNATURE OF PARENT OR LEGAL GUARDIAN (as needed)

JOB SEEKER'S ADDRESS

JOB SEEKER'S PHONE #

The above self-certification documents the following eligibility criteria:

CERTIFICATION

I certify that the information recorded on this form was provided by the individuals whose signatures appear above.

Texas Workforce Center Staff Signature

Print Name

____/____/____
Date

Manager/Reviewer Signature

Print Name

____/____/____
Date

04.07

WORKFORCE INVESTMENT ACT

TELEPHONE VERIFICATION OF PUBLIC ANNOUNCEMENT

Date of Telephone Verification: _____

Texas Workforce Center
Staff Member Contacted: _____

Job Title: _____

Division/Department: _____

Telephone Number: (_____) _____

Company Name: _____ Date of Closure: ____/____/____

Media Form of Announcement: _____

Specific Site(s) To Be Affected: _____

Documentation Information Specific to Closing: _____

NOTE: The following are required for meeting dislocated worker eligibility criteria under Category 4 - Public Announcement:

- ☐ 1. Declared through media.
- ☐ 2. Specific sites due to close by specific date.

| CERTIFICATION | | |
|---|---------------------|------------------------|
| I certify that the information provided above meets the requirements for WIA dislocated worker eligibility under "Public Announcement." | | |
| _____ Texas Workforce Center Staff Signature | _____ Print Name | ____/____/____ Date |
| _____ Manager/Reviewer Signature | _____ Print Name | ____/____/____ Date |

04.07

**WORKFORCE INVESTMENT ACT
VERIFICATION OF TERMINATION OR LAYOFF
DISLOCATED WORKER**

Job Seeker's Name: _____
(Please Print)

Date: ____/____/____

TO: EMPLOYER

Please provide the information requested below to assist in establishing my eligibility for WIA dislocated worker services.

Thank you for your help.

Signature

Job Seeker's Social Security Number (if applicable)

(TO BE COMPLETED BY EMPLOYER)

Employer's Name: _____

Street Address: _____

City: _____ State: _____ Zip: _____

Phone Number: (____) _____ - _____

Position Held: _____

Employed From: ____/____/____ To: ____/____/____

Has the individual been terminated or received a notice of termination (i.e., separated from employment due to reasons other than discharge for cause, voluntary departure, or retirement)?

☐ Yes ☐ No

Is the termination a result of the permanent closure of your plant/facility/enterprise?

☐ Yes ☐ No

Is the termination a result of a substantial layoff* at your plant/facility/enterprise?

☐ Yes ☐ No

Was the individual's position covered by Unemployment Insurance?

☐ Yes ☐ No

Signature/Title of Representative

Date

PLEASE RETURN TO:

Texas Workforce Center Staff Name: _____

Street Address: _____

City: _____ State: ____ Zip: _____

ATTENTION: _____

** At least 33% of the full-time employees, and at least 50 full-time employees; or at least 500 full-time employees.*

CERTIFICATION

I certify that I have contacted the above-named employer/representative and the information provided is true and correct to the best of my knowledge.

Texas Workforce Center Staff Signature

Print Name

Date

Manager/Reviewer Signature

Print Name

Date

04.07

**WORKFORCE INVESTMENT ACT
EMPLOYMENT/INCOME VERIFICATION**

Employee Name: _____

Date: ____/____/____

TO WHOM IT MAY CONCERN:

This is your authorization to release the information concerning my employment as required below. In order to establish eligibility for training and employment under the Workforce Investment Act, verification of income actually received for the period ____/____/____ to ____/____/____ is needed. Please complete this form as soon as possible as it is required before I, or a member of my family, can be determined eligible for the program.

Your cooperation and prompt return of this information is appreciated.

Thank you,

Signature of Employee

____/____/____
Social Security Number

TO BE COMPLETED BY THE EMPLOYER*

Employer's Name: _____

Street Address: _____

City: _____ State: _____ Zip: _____

Telephone: (____) _____ - _____

Position Held: _____

Employed From: ____/____/____ to ____/____/____
Month Day Year Month Day Year

Income Determination Period for Program Eligibility: ____/____/____ to ____/____/____
*Month Day Year Month Day Year
*(Dates To Be Filled Out by Texas Workforce Center Staff)

Total Gross Wages/Salary: \$ _____
[Includes all pay received (before deductions) inclusive of income determination period listed above] Signature of Employer Representative/Title/Date

TO BE COMPLETED BY TEXAS WORKFORCE CENTER STAFF

PLEASE RETURN TO: Texas Workforce Center Name: _____

Attn: (Staff name): _____

Street Address: _____

City: _____ State: ____ Zip: _____

Attention: _____

This information may be completed by Texas Workforce Center staff if verified by telephone contact indicating who supplied the information and the date the telephone contact was made.

Texas Workforce Center Staff Signature Print Name Date

Manager/Reviewer Signature Print Name Date

04/07

**WORKFORCE INVESTMENT ACT
OUT-OF-STATE UNEMPLOYMENT INSURANCE VERIFICATION**

UI Recipient Name: _____

Date: ____/____/____

To (out-of-state agency): _____

This is your authorization to release the information concerning my receipt of unemployment insurance. In order to establish eligibility for training and employment under the Workforce Investment Act, verification of income is needed for the last 26 weeks prior to the date of application. Please complete this form as soon as possible as it is required before I, or a member of my family, can be determined eligible for the program.

Your cooperation and prompt return of this information is appreciated.

Thank you,

Signature of UI Recipient

Social Security Number

TO BE COMPLETED BY STATE UNEMPLOYMENT INSURANCE STAFF

Please enter the total amount of unemployment insurance benefits received from

_____/_____/_____ to ____/_____/_____ \$_____
Month Day Year Month Day Year Amount

Has the UI recipient exhausted all benefits (effective the date of application above)? ____ Yes ____ No

Signature of Representative/Title/Date

Printed Name

TO BE COMPLETED BY TEXAS WORKFORCE CENTER STAFF

PLEASE RETURN TO: Texas Workforce Center Name: _____

Attn: (Staff name): _____

Street Address: _____

City: _____ State: _____ Zip: _____

Attention: _____

This unemployment insurance information may be completed by Texas Workforce Center staff if verified by telephone contact indicating who supplied the information and the date the telephone contact was made.

Texas Workforce Center Staff Signature

Print Name

Date

Manager/Reviewer Signature

Print Name

Date

INSTRUCTIONS FOR COMPLETING SELF-CERTIFICATION OF FAMILY STATUS FORM

In cases where the recommended sources of family status documentation are unavailable, or the attainment of such documentation would place undue hardship on the job seeker, this form may be used.

The purpose of this form is to verify a WIA job seeker's family status at time of application. This entails documenting the size and makeup of the job seeker's family. This form is only necessary when eligibility is based on family income for the past 26 weeks.

The Self-Certification of Family Status form should be completed by the job seeker, with the assistance of Texas Workforce Center staff to ensure the form is completed correctly. The job seeker then takes the form to be signed by a witness who can corroborate the information provided.

The definition of *family* for WIA purposes is contained in the *Glossary Desk Reference* and on the Self-Certification of Family Status form.

FAMILY MEMBER NAMES/RELATIONSHIP TO JOB SEEKER

- List the names of all family members living in the job seeker's residence.
- Indicate the relationship of each family member to the job seeker.

NAME/LOCATION/REASON

- List the names of any family members not currently residing in the job seeker's residence.
- Include any family member who, in accordance with the *WIA Eligibility Guidelines* definition of *family*, is not currently living in the residence but would be considered a part of the job seeker's family. These absences may be due to temporary and voluntary residence elsewhere (e.g., attending school or college, visiting relatives). Such absences would not include involuntary temporary residence elsewhere (e.g., incarceration or placement as a result of a court order). Members of the armed forces on extended temporary assignment elsewhere are considered to be assigned involuntarily, and would not be considered as part of the job seeker's family.
- Indicate the location of the absent family member.
- Indicate the reason for the absence. Include whether the absence is voluntary or involuntary, and if it is temporary or permanent.

The job seeker must sign the form.

A corroborating witness must sign the form attesting to the accuracy of the given information. The corroborating witness may live in or out of the residence, and may or may not be related to the job seeker. The witness must have verifiable knowledge of the job seeker's family size.

WORKFORCE INVESTMENT ACT SELF-CERTIFICATION OF FAMILY STATUS

IDENTIFYING INFORMATION

Job Seeker Name: _____
Last
First
MI

SSN: Application Date:

To be completed by WIA job seeker with Texas Workforce Center Staff assistance:

For use in completing this form, the following definition applies:

FAMILY is defined as one of the following:

- (a) A husband, wife, and dependent children
- (b) A parent or legal guardian and dependent children
- (c) A husband and wife

Please provide information regarding the job seeker's family as requested below (see instructions):

| FAMILY MEMBER NAME(S) | RELATIONSHIP TO JOB SEEKER |
|-----------------------|----------------------------|
| | |
| | |
| | |
| | |
| | |
| | |
| | |

Please complete the following information for family members not currently residing in the job seeker's residence (see instructions).

| NAME | LOCATION | REASON |
|------|----------|--------|
| | | |
| | | |
| | | |

I attest that to the best of my knowledge the information above is true and correct.

(Signature of Job Seeker)

(Date)

CORROBORATING WITNESS – I attest that to the best of my knowledge the information above is true and correct.

| | |
|------------------|----------------------------|
| Name | Signature |
| Street Address | City, State, Zip |
| Telephone Number | Relationship to Job Seeker |

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**INSTRUCTIONS FOR COMPLETING CITIZENSHIP/ELIGIBLE NONCITIZEN STATUS
AUTHORIZATION TO WORK FORM**

By completing this form with the appropriate accompanying documentation, job seekers can prove that they have the right to work in the United States and are eligible to receive WIA-funded services. Job seekers complete the form by providing the appropriate documents for the box(s) that they have checked, choosing either **one item from *List A*, or one item each from *List B* and *List C*.**

Job seekers will be asked to complete the personal identification information at the top of the form. They will then be asked to review the form to determine if they have the appropriate documentation to check an item from *List A*, or if they have the appropriate documentation to check an item from both *List B* and *List C*.

Copies of the appropriate documents must be duplicated and maintained in the job seeker's case file along with the Citizenship/Eligible Noncitizen Status Authorization to Work form for proof of eligibility to work in the United States and receive WIA-funded services.

WORKFORCE INVESTMENT ACT CITIZENSHIP/ELIGIBLE NONCITIZEN STATUS AUTHORIZATION TO WORK

For individuals to participate in Workforce Investment Act programs, they must be authorized to work in the United States. Please complete the following form, choosing one item from **List A**, or one item from **List B** and one item from **List C**.

| | | | |
|--------------------------------|-------|------------------------|-------------|
| | | | |
| Print Name: Last | First | MI | Maiden Name |
| / / | | / / | |
| Date of Birth (month/day/year) | | Social Security Number | |

| LIST A | LIST B | LIST C |
|--|---|---|
| Documents That Establish Both Identity and Employment Eligibility | Documents That Establish Identity | Documents That Establish Employment Eligibility |
| OR AND | | |
| <input type="checkbox"/> U.S. Passport (Unexpired or Expired) <input type="checkbox"/> Unexpired Foreign Passport, with a temporary I-551 stamp or attached unexpired Arrival-Departure Record, INS Form I-94, bearing the same name as the passport and containing an endorsement of the alien's nonimmigrant status, if that status authorizes the alien to work for the employer <input type="checkbox"/> Permanent Resident Card or Alien Registration Receipt Card (INS Form I-551) <input type="checkbox"/> Unexpired Employment Authorization Document that contains a Photograph (INS Form I-688, I-688A, I-688B, or I-766) | <input type="checkbox"/> Driver's License or ID Card issued by a state or outlying possession of the United States provided it contains a photograph or information such as name, date of birth, gender, height, eye color, and address <input type="checkbox"/> ID Card issued by federal, state, or local government agencies or entities, provided it contains a photograph or information such as name, date of birth, gender, height, eye color and address <input type="checkbox"/> School ID Card with a photograph <input type="checkbox"/> Voter's Registration Card <input type="checkbox"/> U.S. Military Card or Draft Record <input type="checkbox"/> Military Dependent's ID Card <input type="checkbox"/> U.S. Coast Guard Merchant Mariner Card <input type="checkbox"/> Native American Tribal Document <input type="checkbox"/> Driver's License issued by a Canadian government authority For persons under age 18 who are unable to present a document listed above: <input type="checkbox"/> School record or report card <input type="checkbox"/> Clinic, doctor, or hospital record <input type="checkbox"/> Day care or nursery school record | <input type="checkbox"/> U.S. Social Security Card issued by the Social Security Administration (other than a card stating it is not valid for employment) <input type="checkbox"/> Certificate of Birth Abroad issued by the Department of State (Form FS-545 or Form DS-1350) <input type="checkbox"/> Original or certified copy of a birth certificate issued by a state, county, municipal authority or outlying possession of the United States bearing an official seal <input type="checkbox"/> Native American Tribal Document <input type="checkbox"/> U.S. Citizen ID Card (INS Form I-197) <input type="checkbox"/> ID Card for use of Resident Citizen in the United States (INS Form I-179) <input type="checkbox"/> Unexpired Employment Authorization Document issued by DHS (other than those listed under List A) |

| CERTIFICATION | | |
|--|---------------------|---------------|
| I certify that the information stated above is true and accurate, and understand that the above information, if misrepresented or incomplete, may be grounds for immediate termination or penalties as specified by law. | | |
| _____ Job Seeker Signature | | _____ Date |
| _____ Texas Workforce Center Staff Signature | _____ Print Name | _____ Date |
| _____ Manager/Reviewer Signature | _____ Print Name | _____ Date |